

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

ADAM S. LEVY on behalf of himself and all others
similarly situated,

Plaintiff,

v.

THOMAS GUTIERREZ, RICHARD J. GAYNOR, RAJA
BAL, J. MICHAL CONAWAY, KATHLEEN A. COTE,
ERNEST L. GODSHALK, MATTHEW E.
MASSENGILL, MARY PETROVICH, ROBERT E.
SWITZ, NOEL G. WATSON, THOMAS WROE, JR.,
MORGAN STANLEY & CO. LLC, GOLDMAN,
SACHS & CO., CANACCORD GENUITY INC., AND
APPLE INC.,

Defendants.

No. 1:14-cv-00443-JL

ECF CASE

**CLASS COUNSEL'S MOTION FOR AN AWARD OF ATTORNEYS' FEES
AND REIMBURSEMENT OF LITIGATION EXPENSES**

TO: All Counsel of Record

PLEASE TAKE NOTICE that pursuant to Federal Rules of Civil Procedure 23(e) and 23(h) and this Court's Order Preliminarily Approving Settlement with Defendant Apple Inc. and Providing for Notice dated March 3, 2020 (Dkt. 254), and upon (i) the Declaration of Lauren A. Ormsbee in Support of: (I) Class Representatives' Motion for Final Approval of Settlement With Defendant Apple Inc.; and (II) Class Counsel's Motion for an Award of Attorneys' Fees and Reimbursement of Litigation Expenses; (ii) the Memorandum of Law in Support of Class Counsel's Motion for an Award of Attorneys' Fees and Reimbursement of Litigation Expenses; and (iii) all other papers and proceedings herein, Class Counsel will and does hereby move this Court, before the Honorable Joseph N. Laplante, on June 15, 2020 at 10:00 a.m., at the United States District Court for the District of New Hampshire, Courtroom 2, 55 Pleasant Street,

Concord, NH 03301-3941, or at such other location and time as set by the Court, for entry of an Order awarding attorneys' fees and reimbursement of litigation expenses. A proposed Order granting the requested relief will be submitted with Class Counsel's reply papers after the May 25, 2020 deadline for objecting to the motion has passed. Class Counsel has conferred with counsel for Defendant Apple Inc. ("Apple's Counsel") regarding this Motion, and Apple's Counsel has advised Class Counsel that Apple does not object to the relief requested in this Motion.

Dated: May 11, 2020

Respectfully submitted,

**BERNSTEIN LITOWITZ BERGER &
GROSSMANN LLP**

/s/ Lauren A. Ormsbee

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Lauren A. Ormsbee (admitted *pro hac vice*)

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Local Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of May, 2020, the above Class Counsel's Motion for an Award of Attorneys' Fees and Reimbursement of Litigation Expenses was electronically served through ECF on all registered attorneys in the case under Civil Action No. 14-cv-00443-JL.

/s/ Jennifer A. Eber

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